

may be extremely difficult for plaintiffs . . . to make a prima facie showing of jurisdiction over a foreign corporation that they seek to sue in the federal courts in New York. That, however, is the consequence of the problems inherent in attempting to sue a foreign corporation that has carefully structured its business so as to separate itself from the operation of its wholly-owned subsidiaries in the United States – as it properly may do.” Jazini, 148 F.3d at 186.¹²

CONCLUSION

For the foregoing reasons, defendants’ motions to dismiss the complaint for lack of personal jurisdiction pursuant to Fed. R. Civ. P. 12(b)(2) are granted and plaintiffs’ cross-motion for jurisdictional discovery and to amend the complaint pursuant to Fed. R. Civ. P. 15(a) is denied.

SO ORDERED.

Dated: November 21, 2006
Brooklyn, New York

_____/s/
I. Leo Glasser
United States District Judge

¹² Because the Court rejects plaintiffs’ request for jurisdictional discovery, it does not reach Buchi AG’s argument that discovery, if any, should be conducted under the Hague Convention. See Buchi AG Reply Mem. at 11-14.